



CONTRACTORS LICENSE BOARD RULES AND REGULATIONS

PART I

Authority and Purpose of Regulations, Exemptions and Enforcement.....	4
1.1 Authority.....	4
1.2 Purpose of Law-Protection, Safety of Public.....	4
1.3 Exemptions.....	4
1.4 Violation and Penalty.....	4
1.5 Injunction.....	4

PART II

Definitions.....	5
2.1 Direct Management of the Contracting Business.....	5
2.2 Responsible Management Employee (RME).....	5
2.3 Employee.....	5
2.4 Owner-Builder.....	6
2.5 Home Improvement and Renovation Contracting.....	6
2.6 Home Improvement and Renovation Salesman.....	6

PART III

Processing License Applications.....	6
3.1 Application Form for Contractors License.....	6
3.2 Individual License Required.....	7
3.3 Management of Applicant to Furnish Information.....	7
3.4 Signing and Verification of Applications.....	7
3.5 Exhibits Required.....	7
3.6 Rejection of Applications.....	8
3.7 When a Joint Venture Requires a License.....	8
3.8 Classification of License for Joint Venture.....	9

PART IV

Experience Qualifications.....	9
4.1 Experience Requirement.....	9
4.2 Power of the Board to Approve Other Experience.....	9
4.3 Power of the Board to Accept Equivalent Knowledge.....	9

PART V

Fees and Refunds.....	9
5.1 Disposition of Fees and Refunds.....	9
5.2 Application Fee.....	9
5.3 Annual Fee.....	9-10
5.4 Power of Board to Prorate Licensing Fees.....	10-11

PART VI

Classifications.....	11
6.1 All Contractors Classified.....	11-25

PART VII

Scope of Classification.....	26
7.1 General Engineering, General Building and Specialty Contractor.....	26
7.2 Limitation of Classification.....	27
7.3 Work Incidental and Supplemental.....	27
7.4 Additional Classification.....	27

PART VIII

Examinations.....	27-29
8.1 Examination of Law and Related Subject.....	27
8.2 Examination Subject Matter.....	27
8.3 Kinds of Examination.....	28
8.4 New Examination.....	28
8.5 Failure to Pass Examination.....	28
8.6 Time and Place of Examination.....	28
8.7 Credits Obtained.....	28
8.8 Written Examination.....	28
8.9 Time Element for Examination.....	29

PART IX

Renewal of License.....	29-30
9.1 Date for Filing.....	29
9.2 Failure to Submit Renewal Application.....	29
9.3 Proper Filing Authorizes Contractor to Operate.....	29
9.4 Suspension.....	29
9.5 Board May Refuse to Renew.....	29
9.6 Bond Requirement.....	29
9.7 Waiving a Bond.....	30
9.8 Previous Licenses.....	30
9.9 Renewal Application Mailed.....	30
9.10 Renewal Application Date.....	30
9.11 Conditions for Renewal License.....	30

PART X

Revocation, Suspension and Lapse of License.....	31-33
10.1 Causes for Revocation or Suspension.....	31-32
10.2 Hearings and Appeals.....	32-33
10.3 Notice Due Contractors License Board Upon Death, Dissociation or Disability.....	33
10.4 Board Jurisdiction to Proceed.....	33

PART XI

Ownership and Management of License.....	33
11.1 License Non-Transferable.....	34
11.2 Change in Management Personnel.....	34

PART XII

Disclosure to Owners by Home Improvement and General Building Contractors.....	34
12.1 Disclosure to Owners.....	34

PART XIII

Place of Business.....	34
13.1 Place of Business.....	34
13.2 Change of Address.....	34

PART XIV

Reports to Board by Home Improvement and Renovation and General Building Contractors.....	34
14.1 Reports to Board.....	34-35

PART XV

Responsibility for Good Workmanship.....	35
15.1 Responsibility of Good Workmanship.....	35
15.2 Identification Display.....	35

PART XVI

Conflict with Legislature Act.....	35
16.1 Conflict with Legislature.....	35

PART XVII

Addenda.....	35
17.1 Power of the Board to Issue Provisional License.....	35-36
17.2 Power of the Board to Issue (Optional) Master Specialty License.....	36

PART I

AUTHORITY AND PURPOSE OF REGULATIONS, EXEMPTION, ENFORCEMENT

1.1 AUTHORITY. Authority to promulgate Rules and Regulations by the Contractors License Board is found in Section 70103 (b), 21 GCA Chapter 70 of the Government Code of Guam, as enacted by Public Law 14-51 (Bill 140). All references hereinafter to ‘Board’ are to the Contractors License Board.

1.2 PURPOSE OF LAW PROTECTION, SAFETY OF PUBLIC. The Board interprets the primary intent of the Legislature in creating the Board to be the protection of the public health, safety and general welfare in dealing with persons engaged in the construction industry, and the affording to the public of an effective and practical protection against the incompetent, inexperienced, unlawful and unfair practices of contractors with whom they may contract. All rules, regulations or orders adopted by the Board shall be interpreted and construed in light of the policies announced herein.

1.3 EXEMPTIONS. These rules and regulations exempt those persons and projects identified in Section 70101 of the Government Code of Guam.

EXEMPTIONS FOR PRIOR LICENSES. Any contractor who obtained a valid contractors license with the then existing license statute prior to July 1, 1977 shall be exempted from provisions of this Chapter relative to application, investigation and examination. Any contractor with a valid license issued prior to July 1, 1977 with a classification different from those enumerated in Section 70106, Government Code of Guam, shall be automatically placed in the appropriated classification without the necessity of complying with the application, investigation and examination provisions of this Chapter. All other provisions shall apply providing, however, that Public Works endorsement, if prior to July 1, 1977 or license if on or after July 1, 1977 has not lapsed.

EXEMPTIONS FOR RESPONSIBLE MANAGEMENT EMPLOYEE. Any Responsible Management Employee that was registered under the Department of Public Works prior to July 1, 1977 shall be exempted from provisions of this regulation and this Chapter, as enacted by Public Law 14-51 relative to application, investigation and examination. All other provisions shall apply providing, however, that Public Works endorsement, if prior to July 1, 1977 or license if on or after July 1, 1977 has not lapsed.

1.4 VIOLATION AND PENALTY. Any persons who violates, or omits to comply with any of the provisions of these rules and regulations or this Chapter shall be fined an amount no less than Two Hundred Dollars (\$200) but not to exceed fifty percent (50%) of the value of the project.

1.5 INJUNCTION. The Board may, in addition to any other remedies available, apply to a Judge of the Superior Court of Guam for a preliminary and/or permanent injunction restraining any person from acting or assuming to act or advertise as a General Engineering Contractor, General Building Contractor or Specialty Contractor without a licensee previously obtained under and in compliance with this Chapter and the rules and regulations of the Board. Upon hearings and for cause shown, the Judge may grant the preliminary and/or permanent injunction.

PART II

DEFINITIONS

- 2.1 DIRECT MANAGEMENT OF THE CONTRACTING BUSINESS** as used in these rules and regulations means the general supervision of the construction projects undertaken by the licensee, the control of technical and administrative decisions, personnel management, the review of construction contracts and enforcing compliance with all laws and regulations affecting the contracting business.
- 2.2 RESPONSIBLE MANAGEMENT EMPLOYEE.** A “Responsible Management Employee” means the individual responsible for the direct management of the contracting business of the licensee. A Responsible Management Employee shall not be deemed to have the direct management of the licensee’s contracting business unless he is:
- (A) A bona fide employee principally employed by the licensee provided, however, that an individual may be a Responsible Management Employee for more than one firm if:
 - (1) There is a common ownership of at least fifty-one percent (51%) of the equity of each, for which he acts as Responsible Management Employee; or
 - (2) Each additional firm for which he acts as Responsible Management Employee is a subsidiary of or joint venture of the first; or
 - (3) There is a direct family relationship between the Responsible Management Employee and the Officers of each additional firm for which he acts as the Responsible Management Employee; or
 - (4) Notwithstanding (1), (2) and (3) above, there is a maximum limitation of three companies for which he may act as a Responsible Management Employee (RME) provided that separate payments are made for each RME license for each company.
 - (B) In a position to secure full compliance with the rules and regulations as set forth by the Board.
 - (C) Familiar with all contracts the firm enters into and is responsible for all contract provisions. To verify such familiarity, the Responsible Management Employee shall sign or initial all contracts.
 - (D) Familiar with all projects the firm undertakes and is responsible for enforcement of recordkeeping of such projects, such records to include amount of time the Responsible Management Employee spends with the firm and payroll record of the Responsible Management Employee.
 - (E) In residence in the Territory of Guam during the period in which the license is in effect or during the period a project is under construction.
- 2.3 EMPLOYEE.** “Employee” means an individual who, with wages as his sole compensation, works under the supervision of an employer who is liable for paying his

social security, unemployment and workmen's compensation contributions on behalf of the employee.

2.4 OWNER-BUILDER. 'A person who undertakes an operation for himself' means a person who builds a structure on his own premises for his own personal needs, with no intent to sell, rent or lease such structure to someone else and which structure is not for use by the general public. A Provisional license is required if this person so chooses to hire individuals for the sole purpose of building a structure on his own premise.

2.5 HOME IMPROVEMENT AND RENOVATION CONTRACTING. 'Home Improvement and Renovation Contracting' means undertaking or holding oneself out as being able to undertake directly or indirectly renovation, remodeling, repairing or otherwise improving a residential property for compensation.

2.6 HOME IMPROVEMENT AND RENOVATION SALESMAN.

- (A) 'Home Improvement and Renovation Salesman' means an individual who, as a representative of a home improvement contractor, solicits for or negotiates a home improvement contract.
- (B) Any individual representing more than one principal or acting on his own behalf as a home improvement and renovation salesman shall be treated for all purposes hereunder as a contractor and shall be required to hold a proper license.

PART III

PROCESSING LICENSE APPLICATIONS

3.1 APPLICATION FORM FOR CONTRACTORS LICENSE. All applications for an original contractor's license shall be made in writing upon a form to be prescribed by the Board, which the form shall be designed to seek from the applicant the following information:

- (A) A complete statement of the general nature of the applicant's contracting business;
- (B) If the applicant is an Individual, his name and address; if a Partnership, the names and addresses of all partners, and the names and addresses of the Responsible Management Employee(s); if a Corporation, the names and addresses of the Responsible Management Employee(s) and all officers; if a Joint Venture, the names and addresses of the Employee(s). For the purpose of this article, any person(s) in any of the capacities set forth in this rule shall be deemed to be members of the personnel of applicant.
- (C) A record of previous experience of applicant and applicant's Responsible Management Employee(s) in the field of construction. Designated the projects associated with by name, size, location and title of position held.
- (D) Application in the case of an individual shall be accompanied by sworn certificates of not less than three (3) persons who have known the applicant for a period of not

less than six (6) months, certifying that the applicant bears a good reputation for honesty, truthfulness and fair dealings.

- (E) Nothing contained herein shall be construed to limit the Board's authority to seek from the applicant such other information pertinent to the character, experience and past and future methods of doing business as may be deemed necessary to determine the applicant's qualifications.

3.1 INDIVIDUAL LICENSES REQUIRED. Responsible Management Employee must be licensed. The Corporation, Partnership or Joint Venture which employs him must be also licensed as a contractor. Home Improvement and Renovation Salesman falling under Part II, 2.6 of these rules and regulations must be licensed.

3.2 MANAGEMENT OF APPLICANT TO FURNISH INFORMATION. An Officer, Director or Partner of an applicant shall furnish the information requested in the prescribed application form.

3.4 SIGNING AND VERIFICATION OF APPLICATIONS. Every application for contractors' licenses shall be signed by the individual applying if applicant is an individual; if a Partnership, by a copartner; if a Corporation or Joint Venture, by its President or its authorized representative; and by all other persons concerning whom information is given in the application form. All persons signing the application shall swear to the truth of the statements contained therein before a notary public. Evidence of the authority of authorized representative of a Joint Venture or Corporation shall be filled with its application.

3.5 EXHIBITS REQUIRED. Every applicant shall be required to furnish the Board with the following documents:

- (A) If the applicant is an individual, sworn certificates of not less than two (2) persons who have known the applicant bears a good reputation for honesty, truthfulness and fair dealings.
- (B) Not less than three (3) certificates in support of experience qualifications as set forth hereinafter in PART IV, Section 4.1 – 4.3.
- (C) A current credit report on the Individual Applicant and the Responsible Management Employee and/or Bond in an amount and under terms to be determined by the Board.
- (D) Proof of financial solvency, (Bank letter of credit attesting to solvency or financial statement from the Bank and/or a Certified Public Accountant (CPA) may provide a letter attesting to the solvency of the applicant.)
- (E) Evidence that applicant has obtained workmen's compensation insurance.
- (F) Evidence, upon the Board's request, that an individual applicant is of age of eighteen (18) years or more.

3.6 REJECTION OF APPLICATIONS.

- (A) The Board shall reject any application which is insufficient or incomplete; or where the applicant has failed to:
 - (1) demonstrate a record of integrity of fair dealings and fulfillment of prior contracts and possesses or demonstrates reasonable availability of adequate finances and facilities to undertake and successfully complete a contractual project.
 - (2) qualify by experience for the license sought.
- (B) The Board is empowered to deny approval of any application wherein the applicant is found to have violated regulatory statutes of any governmental agency of which violations demonstrate the lack of moral or professional integrity necessary to fulfill contract responsibilities. The Board will further reject the application if review of the record of the applicant reveals that the applicant was denied or had a license revoked by any regulatory agency for professional misconduct.
- (C) An application for an original contractors license will be automatically rejected when:
 - (1) the applicant or Responsible Management Employee for the applicant, after having been notified to do so, fails to appear for the examination on the date notified.
 - (2) the applicant or Responsible Management Employee for the applicant fails the examination and, after having been notified to do so, fails to appear for re-examination on the date notified;
 - (3) the applicant, after having been notified to do so, fails to comply with any of the requirements in these rules and regulations or as may be established by the Board, within thirty (30) days from date of notification.
- (D) An application rejected pursuant to these provisions shall remain in possession of the Board for a time to be determined by the Board and shall not be returned.

3.7 WHEN A JOINT VENTURE REQUIRES A LICENSE.

- (A) No further licensing is required when all parties to the Joint Venture submit evidence that they hold current licenses with the Guam Contractors License Board.
- (B) If the Joint Venture, itself, is licensed with the Guam Contractors License Board, none of the parties in the Joint Venture are required to be licensed.
- (C) The Joint Venture is required to complete an application prescribe by the board and pay the licensing fee/s outlined in 21 GCA Ch. 70 § 70114.

- 3.8 CLASSIFICATION OF LICENSE FOR JOINT VENTURE.** The Board shall issue a license to a Joint Venture for the classification in which its members thereof is licensed.

PART IV

EXPERIENCE QUALIFICATIONS

- 4.1 EXPERIENCE REQUIREMENT.** Every individual applicant must have had, within the past ten (10) years immediately preceding the filing of an application, not less than four (4) years experience as a foreman, supervising employee or contractor in the particular field of contracting in which the applicant intends to engage as a contractor. Corporations, Partnerships and Joint Venture must qualify through a Responsible Management Employee who meets these experience requirements.
- 4.2 POWER OF THE BOARD TO APPROVE OTHER EXPERIENCE.** The Board in its discretion may approve certain technical training or business administration training as acceptable experience, but in no case will such training count as more than one (1) year experience.
- 4.3 POWER OF THE BOARD TO ACCEPT EQUIVALENT KNOWLEDGE.** The Board in its discretion, may accept any reasonably equivalent knowledge, training or experience of the applicant in lieu of a specific experience requirement if, upon investigation, it makes a detailed finding to that effect.

PART V

FEES AND REFUNDS

- 5.1 DISPOSITION OF FEES AND REFUNDS.**
- (A) All fees received by the Contractors License Board under this Chapter shall be deposited in a special fund known as the **CONTRACTORS LICENSE BOARD FUND**. This fund shall be kept in a bank licensed to do business on Guam and funds shall be paid out only upon a request for payment or requisition submitted by the Executive Director or its personnel and countersigned by the Chairman of the Board. All monies in this Fund shall require legislative appropriation.
 - (B) The Board may request the Treasurer of Guam to have any fee erroneously paid to it under this Chapter refunded when the Board deems it just and equitable.
- 5.2 APPLICATION FEE.** Every application for a license hereunder shall be accompanied by an application fee of **FIFTY DOLLARS (\$50.00)**.
- 5.3 ANNUAL FEE.**

- (A) The annual fee for each license thereof prescribed by this Chapter shall be as follows:

- (1) License Fees for Contractor's License:
 - License to act as General Engineering Contractor.....\$ 400
 - License to act as General Building Contractor.....\$ 400
 - License to act as Specialty Contractor.....\$ 400
- (2) License Fee for Responsible Management Employee (RME)
 - License to act as RME in General Engineering Contractor.....\$ 400
 - License to act as RME in General Building Contractor.....\$ 400
 - License to act as RME in Specialty Contractor.....\$ 400
- (3) Reissuance of a license or issuance of a certified copy of license..\$ 20
- (4) Application for additional classification (Fee shall be charged for each application.).....\$ 50
- (5) Inactive License fee (in lieu of renewal fee).....\$ 50
- (6) Letter of Good Standing.....\$ 50
- (7) Study Guide.....\$ 75
- (8) Exam Fee.....\$ 50

- (B) The annual fee or inactive license fee shall be paid on or before June 30th of each year for license year beginning on July 1st. Failure, neglect or refusal of any licensee to pay the annual fee before such date shall constitute a forfeiture of his license. Any such license may be restored upon written application therefore within one (1) year from such date and the payment of the required fee plus an amount equal to ten percent (10%) thereof.

- (C) Upon written request by a contractor and for good cause the Board shall place an active license in an inactive status. The license, upon payment of the annual inactive license fee, may continue inactive for a period of three (3) years after which time it must be reactivated or shall automatically become forfeited. The license may be reactivated at any time within the three-year period by fulfilling the requirements for renewal; including the payment of the appropriate renewal fee.

5.4 POWER OF THE BOARD TO PRORATE LICENSING FEES.

- (A) The Board established a pro-rate schedule on its licensing fees for new contractors and new Responsible Management Employee(s) on a quarterly basis:

FIRST QUARTER	(July, August, September).....	\$400
SECOND QUARTER	(October, November, December).....	\$300

THIRD QUARTER	(January, February, March).....	\$200
FOURTH QUARTER	(April, May, June).....	\$100

- (B) Individuals who's Original Applications were approved in the month of June may have their fourth quarter proration fees waived by the Executive Director if they show evidence that they will not be participating in any construction related projects until July 1st.

PART VI CLASSIFICATIONS

- 6.1 ALL CONTRACTORS CLASSIFIED.** All persons heretofore or hereinafter licensed under these rules and regulations will be classified by the Board into one or more classifications and/or sub-classifications as follows:

General Engineering Contractor	"A" License
General Building Contractor	"B" License
Specialty Contractor	"C" License

- (A) **GENERAL ENGINEERING CONTRACTOR:** Licensees who hold the "A" general engineering contractor classification shall automatically hold the following specialty classifications without further examination or paying additional fees:

1. (C-3) Asphalt, Paving & Surfacing
2. (C-3A) Painting and Road Mark
3. (C-8) Cement Concrete
4. (C-9) Septic Tank
5. (C-10) Concrete Paving & Surfacing
6. (C-17) Excavating, Grading & Trenching
7. (C-17A) Horizontal Directional Drilling
8. (C-18) Fencing
9. (C-18A) Guard Railing
10. (C-23) Guniting
11. (C-24) Housing & Building Moving & Wrecking
12. (C-24A) Crane/Crane Lifting
13. (C-29) Lift Slab
14. (C-35) Pile Driving & Foundation
15. (C-38) Post Tension/Prestress
16. (C-41) Reinforcing Steel
17. (C-43) Sewage, Sewage Disposal Drain; Cement Pipe Laying
18. (C-48) Structural Steel
19. (C-49) Swimming Pool
20. (C-56A) Pipe Fitting
21. (C-66) Prefabricated Steel Building

- (B) **GENERAL BUILDING CONTRACTOR:** Licensees who hold the “B” general building contractor classification shall automatically hold the following specialty classifications without further examination or paying additional fees:

1. (C-1) Acoustical Tile
2. (C-2) Aluminum Roofing & Siding
3. (C-5) Cabinet & Millwork
4. (C-6) Carpentry Framing
5. (C-8) Cement Concrete
6. (C-9) Septic Tank
- 7A. (C-10) Concrete Paving & Surfacing
- 7B. (C-12) Drywall
8. (C-18) Fencing & Guard Railing
9. (C-21) Floor Covering
10. (C-23) Guniting
11. (C-25) Institutional & Commercial Equipment
12. (C-26) Insulation
13. (C-29) Lift Slab
14. (C-30) Limited House Improvement & Renovation
15. (C-31) Masonry
- 16A. (C-32) Ornamental Metal
- 16B. (C-33) Painting & Decorating
17. (C-36) Plastering
18. (C-42) Roofing
19. (C-48) Structural Steel
20. (C-50) Tile
21. (C-55) Water Proofing
22. (C-58) Wood Flooring

- (C) **SPECIALTY CONTRACTOR:** This classification shall not prohibit a specialty contractor from taking and executing a contract involving the use of two (2) or more crafts or trades, if the performance of the work is less than thirty-five percent (35%) and supplemental to the performance of work in the craft for which the specialty contractor is licensed. Any contract involving a craft or trade exceeding thirty-five percent (35%) of the value of the project is required to obtain the necessary classification (s) prior to any performance of work.

1. (C-1) Acoustical Tile
2. (C-2) Aluminum Shingle & Siding
3. (C-3) Asphalt Paving & Surfacing
4. (C-3A) Painting and Road Marking
5. (C-4) Boiler, Hot Water Heating & Steam Fitting
6. (C-5) Cabinet and Millwork
7. (C-5A) Garage Door Installation
8. (C-6) Carpentry Framing
9. (C-7) Carpet Laying
10. (C-8) Cement Concrete
11. (C-9) Septic Tank Contractor
12. (C-10) Concrete Paving & Surfacing
13. (C-11) Demolition

14. (C-12) Drywall
15. (C-13) Electrical
16. (C-13A) Pole and Line
17. (C-13B) Traffic Light
18. (C-14) Sign/Sign Installation
19. (C-15) Electronic System
20. (C-15A) Communications/Telecommunications
21. (C-16) Elevator Installation Contractor
22. (C-17) Excavating, Grading and Trenching
23. (C-17A) Horizontal Directional Drilling
24. (C-18) Fencing & Guard Railing
25. (C-19) Fire & Burglary Alarm
26. (C-20) Fire Protection
27. (C-21) Floor Covering
28. (C-22) Glazing
29. (C-23) Guniting
30. (C-24) House and Building Moving and Wrecking
31. (C-24A) Crane/Crane Lifting
32. (C-25) Institutional and Commercial Equipment
33. (C-26) Insulation
34. (C-27) Landscaping
35. (C-28) Lathing
36. (C-29) Lift Slab
37. (C-30) Limited Home Improvement and Renovation
38. (C-31) Masonry
39. (C-31A) Epoxy Coating/Injection
40. (C-32) Ornamental Metal
41. (C-33) Painting and Decorating
42. (C-33A) Water Blasting
43. (C-33B) Sand Blasting
44. (C-34) Pest Control
45. (C-35) Pile Driving and Foundation
46. (C-36) Plastering
47. (C-37) Plumbing
48. (C-37A) Leak Detection
49. (C-37B) Water Tanks
50. (C-38) Post Tensioning
51. (C-39) Reconditioning Concrete Pipeline
52. (C-40) Refrigeration
53. (C-41) Reinforcing Steel
54. (C-42) Roofing
55. (C-43) Sewer, Sewage Disposal, Drain, Cement Pipe Laying
56. (C-44) Sheet Metal
57. (C-45) Spray Texture Coatings
58. (C-46) Stone Masonry
59. (C-47) Structural Pest Control
60. (C-48) Structural Steel
61. (C-49) Swimming Pool
62. (C-50) Tile
63. (C-51) Warm Air Heating, Ventilating and Air Conditional
64. (C-52) Solar Power Systems

65. (C-53) Solar Energy Systems
66. (C-53A) Solar Hot Water Systems
67. (C-53B) Solar Heating and Cooling Systems
68. (C-54) Water Chlorination
69. (C-55) Waterproofing
70. (C-56) Welding
71. (C-56A) Pipe Fitting
72. (C-57) Well Drilling
73. (C-58) Wood Flooring
74. (C-59) Above/Underground Fuel Tank Installation & Fuel Leak Monitoring System
75. (C-60) Air Quality Control & Air Emission Tech
76. (C-61) Algae Removal
77. (C-62) Asbestos Abatement or Removal
78. (C-63) Cathodic Protection
79. (C-64) Generator Maintenance, Generator & Shelter Installation
80. (C-65) Shutters/Typhoon Shutters and Window Covering
81. (C-66) Prefabricated Steel Building
82. (C-67) Miscellaneous Retail Products
83. (C-69) Lead/Lead Base Paint- Abatement/Removal
84. (C-70) Ordnance Logistics Services
85. (C-71) Wind Electric/Energy Systems

(D) DEFINITIONS OF SUB-CLASSIFICATIONS:

C-1 ACOUSTICAL TILE CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to execute preparatory work necessary to bring surfaces to a condition where acoustical tile can be laid thereon and to lay such tile by the use of adhesive or other acceptable installation media and to install metal suspension members and place acoustical materials for suspended ceilings.

C-2 ALUMINUM SHINGLE AND SIDING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to install aluminum shingles and siding so that an acceptable water-tight surface is obtained.

C-2 A GARAGE DOOR INSTALLATION CONTRACTOR (Doors and Window Shutters): Garage Door Installation Contractor that installs, services, repairs, or maintains all types of residential, commercial or industrial mechanical, overhead and sliding garage doors, including installation of window shutters which involves similar installation.

C-2B SHUTTERS/TYPHOON SHUTTERS AND WINDOW COVERING: Shutter/Typhoon Shutters & Window Covering Contractor that fabricates, maintains, repairs and installs decorative architectural/functional window/glass or door covering products for protection against typhoon force winds and criminal intrusion products. Including but not limited to the following types of materials and fabrics that make up louvers, shutters, typhoon shutters, venetian and mini-

blinds. Residential or commercial draperies, expanded metal, aluminum accordion and panel type, window and door shutters/typhoon shutters.

C-3 ASPHALT PAVING AND SURFACING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently proportion, mix and place paving and surfacing consisting of graded mineral aggregates bonded with asphalt or bituminous materials so that a firm, smooth surface suitable for roadways, runways and parking areas is obtained.

C-3A PAINTING AND ROAD MARKING: Painting & Road Marking Contractor prepares, but not limited to roadways, runways, driveways and parking areas for paint parking stripes, highway stripes or play court lines and install epoxy buttons or white dome dividers on highways.

C-4 BOILER, HOT WATER HEATING AND STEAM FITTING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install fire-tube and water-tube power boilers and hot water heating boilers, including all fitting and piping, valves, gauges, pumps, radiators, convectors, fuel oil tanks, fuel oil lines, chimneys, fuels, heat insulation and all other devices, apparatus and equipment pertinent thereto.

C-5 CABINET AND MILLWORK CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently cut, surface, join and frame wood and wood products into cabinet, case, sash, door, trim, non-bearing partition and such other mill products as are by the custom and usage accepted in the building and construction industry as cabinet and millwork.

C-6 CARPENTRY FRAMING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently do carpentry framings. Such work to include floor framing and siding, roof framing including wood truss, roof sheathing and such other work as is by custom and usage accepted in the construction industry as carpentry framing. **This classification also includes work of the C-58 Wood Flooring Contractor.**

C-7 CARPET LAYING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare floor surfaces to a condition where acceptable fabric floor covering can be laid thereon and to lay such covering.

C-8 CEMENT CONCRETE CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently proportion and mix aggregates, cement and water to acceptable concrete and to pour, place and finish same including the placing and setting of screens and forms including driveways and sidewalks. **Excluded is the work covered by classification C-10, Paving and Surfacing Contractor.**

C-9 SEPTIC TANK CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to excavate and install septic tanks in compliance with the requirements of the Department of Public Health.

C-10 CONCRETE PAVING AND SURFACING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently proportion, mix and place paving and surfacing consisting of graded mineral aggregates bonded with cement so that a firm, smooth surface suitable for roadways, runways and parking areas is obtained.

C-11 DEMOLITION CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently demolish all types of building or structure and to remove all of such building or structure from the premises on which it was built.

C-11A ROCK CRUSHING/BLASTING: A Rock Crushing/Blasting Contractor prepares earthen material for crushing and performing blasting work.

C-12 DRYWALL CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install gypsum wallboard systems and sheathing; to tape and fill joints and indentations of wallboard with simulated acoustic or gypsum texture **to not include the work of the C-33 Painting and Decorating or Plastering Contractors.**

C-13 ELECTRICAL CONTRACTOR: A specialty whose contracting business is the execution of contracts requiring the ability to place, install, erect or connect any electrical wires, fixtures, appliances, apparatus, raceways or conduits and lines which transmit, transform or utilize electrical energy. **This classification also includes the work of the C-19 Fire and Burglar Alarm Contractor.**

C-13A POLE AND LINE CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to dress, ground, anchor and erect poles designed to carry electrical wires and to connect and string electrical wires and fixtures and apparatus to and between such poles. **A C-13 Electrical Contractor classification is a prerequisite to obtaining this classification.**

C-13B TRAFFIC LIGHTS CONTRACTOR: Traffic Lights Contractor installs, services, maintains and repairs, traffic lights and lights for pedestrian traffic. This contractor must follow any/all local laws regarding Traffic Lights. **A C-13 Electrical Contractor & C-13A Pole and Line Contractor classifications are prerequisites to obtaining this classification.**

C-14 ELECTRICAL SIGN CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate, install and erect electrical signs.

C-15 ELECTRONIC SYSTEM CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install, maintain, repair and service electronic equipment and electronic controls for public address, intercommunication, master antenna and music distribution systems. Electronic controls to include those controls in conjunction with other specialty contracting work.

C15A COMMUNICATIONS/TELECOMMUNICATIONS CONTRACTOR: A Communications/Telecommunications Contractor installs, services, repairs and maintains all types of communications. These systems include, but are not limited to telephone systems, sound systems, cable television systems, closed-circuit video systems, satellite dish antennas, computer and data including the associated cabling, wiring, or fiber optics.

C-16 ELEVATOR INSTALLATION CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate, erect and install sheaves beams motors, sheaves, cable and wire rope, guides, cab, counter weight, doors including sidewalk elevator doors, hydraulic systems, automatic and manual controls, signal systems and all other devices, apparatus and equipment appurtenances for the safe and efficient installation and operation of electrical, hydraulic and manually-operated elevators.

C-17 EXCAVATING, GARDING AND TRENCHING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently dig, move and place earthen materials for cut, fill, grade or trench, including the use of explosives in connection therewith.

C-17A HORIZONTAL DIRECTIONAL DRILLING CONTRACTOR: A Horizontal Directional Drilling Contractor does sub-surface trenches drilling for the installation of underground utilities.

C-18 FENCING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently assemble, fabricate and install metal fencing and gates.

C-18A GUARD RAILING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently assemble, fabricate and install Guard Railings.

C-19 FIRE AND BURGLAR ALARM CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install, maintain and repair fire and burglar alarm systems.

C-20 FIRE PROTECTION CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently lay out, fabricate and install approved types of fire prevention and protection systems including all mechanical apparatus, devices, piping and equipment appurtenances thereto except electrical devices, apparatus and wiring which shall be installed by specialty contractors in the classifications C-13 or C-15.

C-21 FLOOR COVERING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare floor surfaces to a condition where he can lay acceptable flooring with the use of Linoleum, rubber, vinyl, cork, asphalt, plastic aluminates or such other materials as are by custom and usage in the construction industry known as composition flooring.

C-22 GLAZING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently cut glass and to glaze frames, panels, sash and doors. It shall also include fabrication and installation of shower doors, tub enclosures, metal жалousies, store front metal and trim plastics, tempered glass doors including such items as frames and hardware and any allied products not stipulated above but affiliated with the glass and glazing industry.

C-23 GRANITE CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently proportion and mix aggregates, cement and water and to pneumatically apply and finish the mix including the setting of ground wires and pencil rods to establish the finished surface planes.

C-24 HOUSE AND BUILDING MOVING AND WRECKING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently raise and underpin buildings so that alterations, additions, repairs and new sub-structures may be built under the permanently retained portions such buildings and to move or wreck buildings provided, however, that wrecking shall be limited to those buildings which could otherwise be moved in whole or not more than three sections.

C-24A CRANE/CRANE LIFTING: Crane/Crane lifting contractor uses a crane to raise, lower, cribs, underpins and moves or removes structures, including their foundations.

C-25 INSTITUTIONAL AND COMMERCIAL EQUIPMENT CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install laboratory equipment, food services equipment, folding and sliding partitions, stationary metal partitions, and such other equipment and materials as are by custom and usage accepted in the construction industry as institutional and commercial equipment work. **Excluded is the work done by classifications C-13 Electrical and C37 Plumbing Contractors.**

C-26 INSULATION CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install any insulating media in buildings and structures for the sole purpose of temperature control.

C-27 LANDSCAPING CONTRACTORS: A specialty contractor whose contracting business is the execution of contracts requiring the art and ability to

intelligently prepare plots of land for architectural horticulture and to provide decorative treatment and arrange gardens, lawns, shrubs, vines, bushes, trees and other decorative vegetation; construct conservatories, hot and green houses, drainage and sprinkler systems and ornamental pools, tanks, foundations, walls, fences and walks, arrange, fabricate and place garden furniture, statuary and monuments in connection therewith.

C-28 LATHING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently apply wood and metal lath, or any other materials which provide a key or suction base for the support of plaster-coating; including the light gauge metal shapes for the support of metal or other fireproof lath.

C-29 LIFT SLAB CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently lift or lower concrete slabs or prefabricated steelwork, in a vertical dimension, into predesignated positions through the use of jacks.

C-30 LIMITED HOME IMPROVEMENT AND RENOVATION CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently perform the carpentry work to remodel and/or to make repairs to existing buildings or structures and to do any other work which would be incidental and supplemental to such remodeling or repairing. The contractor shall be licensed only if the labor and material cost does not exceed twenty thousand dollars (\$20,000).

C-31 MASONRY CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently select, cut, lay brick and other baked clay products, rough stone, cut and dressed stone, artificial stone and precise blocks, structural glass brick or block, laid at random or in courses with or without mortar.

C-31A EPOXY/COATING/INJECTION: Epoxy Coating/ Injection contractor prepares concrete for the application of epoxy coating/epoxy injection.

C-32 ORNAMENTAL METAL CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently cast, cut, shape, stamp, forge, weld, braze. Solder fabricate any metal used in the building and construction industry for the architectural treatment and ornamental decoration of buildings and structures; but shall not include the work of a Sheet Metal Contractor (C-44) or Structural Steel Contractor (C-48).

C-33 PAINTING AND DECORATING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare surfaces, including the taping of joints in wallboard, and to apply acceptable finishes thereon with the use of paints, varnishes, shellacs, stains, fillers, waxes and any other vehicles and materials that may be mixed and applied as finish to surfaces of buildings including texture coatings and coverings.

C-33A WATER BLASTING CONTRACTOR: Water Blasting Contractor uses the force of compressed air in conjunction with water to clean or prepare surfaces for any protective, decorative and/ or functional treatment.

C-33B SAND BLASTING CONTRACTOR: Sand Blasting Contractor uses the force of compressed air in conjunction with abrasive materials to clean or prepare surfaces for any protective, and/ or functional treatment.

C-34 PEST CONTROL CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring a practical knowledge of the life cycles, habits and habitat of wood of construction as will enable him to determine where the insects or pests are and the proper method to use in ridding a building of such insects or pests. This classification does not include the work of the C-47 Structural Pest Control Contractor.

C-35 PILE DRIVING AND FOUNDATION CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently drive pilings of wood, concrete or steel to cut off same and prepare pilings for permanent foundations.

C-36 PLASTERING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to prepare mixtures of sand, gypsum, plaster, quicklime or hydrate lime and water, or materials as created a permanent surface coating; including coloring for same, and to apply such mixtures by use of a plaster's trowel, brush or spray gun to any surface which offers a mechanical key for the support such mixture, or to which such mixture will adhere by suction; and to apply lath or any other material that will provide a base for such mixture.

C-37 PLUMBING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently install supply water piping systems, waste water piping systems and fuel gas piping systems; within such structures and works where people or animals live, work and assemble.

C-37A LEAK DETECTION CONTRACTOR: Leak Detection Contractor uses special equipment to find, indicate and locate leaks in water and fuel lines.

C-37B WATER TANKS CONTRACTOR: Water Tank Contractor installs, maintains and repairs water storage tanks for the purpose of residential, commercial, agricultural and other related uses. Potable water tanks must meet National Sanitation Foundation (NSF) requirements for safe storage of drinking water. Electric work if necessary must be done by specialty contractors in the classification of C-13 Electrical Contractor. Plumbing work if necessary must be done by specialty contractors in the classification of C-37 Plumbing Contractor.

C-38 POST TENSIONING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently apply compression to concrete structures or various components by

the use of steels, bars or wires and to bring such bars or wires to proper tension after the structures or components are built or placed.

C-39 RECONDITIONING CONCRETE PIPELINE CONTRACTOR:

A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently recondition or restore concrete water or sewer lines through the use of manually or machine-applied grout.

C-40 REFRIGERATION CONTRACTOR:

A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently construct, erect and install devices, machinery and units including temperation insulation units, ducts, blowers, registers, humidity and thermostatic controls of air temperature below fifty degrees Fahrenheit in refrigerators, refrigerator rooms and insulated refrigerator spaces.

C-41 REINFORCING STEEL CONTRACTOR:

A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate, place and tie steel reinforcing bars (rods) of any profile, perimeter or cross-section, that are or may be used to reinforce concrete buildings and structures.

C-42 ROOFING CONTRACTOR:

A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare surfaces and apply a water-tight covering to such surfaces with the use of any or all of the following: asphalt, pitch, tar, felt, glass, fabric, flax, composition, shingles, roof tile slate and such other materials that are established by use and costumed as suitable for a watertight cover. This classification includes the work of the C-55 Waterproofing Contractor, but does not include the work of the C-2 Aluminum Roofing and Siding Contractor or the C-59 Wood Shingle and Shake Contractor.

C-43 SEWER, SEWAGE DISPOSAL, DRAIN, CEMENT PIPE LAYING CONTRACTOR:

A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate concrete and masonry sewers, sewage disposal concrete and masonry sewers, sewage disposal and drain structures, packaged sewer disposal plants, sewage lift stations, septic tanks and appurtenances thereto; to lay iron, steel, concrete, vitreous and non-vitreous pipe; including the excavation, grading, trenching, backfilling paving and surfacing in connection therewith.

C-44 SHEET METAL CONTRACTOR:

A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently cut, shape, fabricate and install sheet metal such as ornices, flashings, gutters, ladders, rainwater downspouts, pand, kitchen equipment, duct work and metal flues.

C-45 SPRAY TEXTURE COATINGS CONTRACTOR:

A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare surfaces and apply acceptable texture coating finishes, but shall not include the work of the C33 Painting and Decorating or the C-36 Plastering Contractor.

C-46 STONE MASONRY CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently select, cut and dress stone, and to construct such stones; to lay stone in such manner that an acceptable paved surface is obtained and to construct stone retaining walls with or without mortar, sufficient in strength and weight to retain the earth which it was built to retain.

C-47 STRUCTURAL PEST CONTROL CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring a practical knowledge of the life cycles, habits and habitats of wood-destroying insects and household pests; the ability to destroy same and to intelligently repair any damage resulting from such insects and pests. This classification includes the work of the C-34 Pest Control Contractor.

C-48 STRUCTURAL STEEL CONTRACTOR: A specialty contractor whose contracting business the execution of contracts requiring the ability to intelligently fabricate and erect structural steel shapes, bars, rods and plates of any profile, perimeter or cross-section that are or may be used as structural members for buildings and structures, including riveting, bolting, welding and rigging in connection therewith.

C-49 SWIMMING POOL CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to construct swimming pools with the use those construction industry trades as are necessary for the construction of such pools.

C-50 TILE CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently prepare a base upon which ceramic and other tile work, including all pseudo ceramic tile products, will adhere by suction or by adhesive and to install such tiles.

C-51 WARM AIR HEATING, VENTILATING AND AIR CONDITIONING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently fabricate and install warm air heating and cooling systems, complete air conditioning systems except for those air conditioning systems requiring refrigeration as an integral part of the system.

C-52 SOLAR POWER SYSTEMS: Solar Power Systems Contractor assembles and installs photovoltaic panels, batteries, controls and related low voltage D.C. Wiring. **Electrical work must be done by specialty contractors in the Classification C-13 Electrician Contractor.**

C-53 SOLAR CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to place, install and erect apparatus for heating, water heating, air conditioning, refrigeration or other devices powered by solar energy or conversion of solar energy to electromotive forces used or to be used for specialties listed in Public

Law 14-51 or these Rules and Regulations. Prerequisites for this classification are: C-13 Electrical Contractor, C-37 Plumbing Contractor, and C-40 Refrigeration Contractor or C-51 Warm Air Heating, Ventilating and Air Conditioning Contractor.

C-54 WATER CHLORINATION CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to chlorinate water lines so that tests approved by the Department of Public Health show that water in such lines meet the standard of that department and is acceptable to the Department of Public Health.

C-55 WATERPROOFING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently apply felt, flax, glass, asphatium, pitch, latex or other materials or any combination of any thereof to surfaces to prevent, hold, keep and stop water vapor from penetrating and passing such materials.

C-56 WELDING CONTRACTOR: A specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently use gases and electrical energy or other heating media, fluxes and metal rods to cause materials to become fused or jointed together.

C-56A PIPE FITTING CONTRACTOR: Pipe fitting Contractor prepares, cut, fabricates and assembles pipe.

C-57 WELL DRILLING CONTRACTORS: A specialty contractor whose contracting business is the execution of contracts requiring some practical elementary knowledge of geology, hydrology, the occurrence of water in the ground, water levels in wells; the prevention of surface and sub-surface contamination and pollution of the ground-water supply; and the ability to intelligently bore, drill, excavate, case, cement, clean and repair wood floor and to finish such floors by sanding, filling and sealing.

C-58 WOOD FLOORING CONTRACTOR: A Wood Flooring Contractor is a specialty contractor whose contracting business is the execution of contracts requiring the ability to intelligently lay and repair wood floor and to finish such floors by sanding, filling and sealing.

C-59 ABOVE/UNDERGROUND FUEL TANK INSTALLATION & FULE LEAK MONITORING SYSTEM: Above/Underground Fuel Tank Installation & Fuel Leak Monitoring Contractor installs and/or removes above/underground fuel storage tanks, which have been or are to be used for dispensing gasoline, diesel fuel, waste oil or kerosene (no chemicals). This work involves the installation and/or removal of all incidental tank related piping, electrical work, including the installation of vapor probes in back fill areas of the tanks and any associated calibration work, including but not limited to the testing and adjustment of leak detection and vapor recovery equipment, such as automatic tank gauges, leak line detectors, vapor recovery lines, and in-station diagnostics. This contractor also performs work on pumps hoists, or other related equipment for facilities such as, but not limited to, service stations.

C-60 AIR QUALITY CONTROL & AIR EMISSION TECH CONTRACTOR: Air Quality Control Contractor test and monitors air quality with modern instruments of the control of air pollution. This classification includes the testing of air for the protection of high pollution levels in the air. This Contractor must be certified or must follow any/all local and federal government's requirements.

C-61 ALGAE REMOVAL CONTRACTOR: Algae Removal Contractor uses approved chemicals and other equipment to safely remove algae from but not limited to pools, tanks and other areas where algae may grow. Including maintenance and prevention of algae growth.

C-62 ASBESTOS ABATEMENT OR REMOVAL: Asbestos Abatement or Removal Contractor engages in any activity involving the enclosure, removal, encapsulation, renovation, repair, demolition, or other disturbances of asbestos or asbestos-containing material that may become friable. This contractor must follow any/all local and or federal government laws regarding Asbestos Abatement or Removal.

C-63 CATHODIC PROTECTION: Cathodic Protection Contractor performs the work of controlling the corrosion of a metal surface by planting it with another, more corrosive metal, the more corrosive metal surface the cathode of an electrochemical cell. This method is used to protect metal structures from corrosion.

C-64 GENERATOR MAINTENANCE, GENERATOR & SHELTER INSTALLATION: General maintenance, Generator and Shelter Installation Contractor installs, services, repairs and maintains all types of residential, commercial or industrial generators. This classification does not include construction of buildings for the shelter of the generators.

C-65 PREFABRICATED STEEL BUILDING: Prefabricated Steel Building Contractor installs, maintains and repairs, prefabricated steel buildings for but not limited to commercial, agricultural, industrial and residential use. The structure must meet all local government building codes, A B, General Building Contractor classification is a prerequisite to obtaining this classification.

C-66 MISCELLANEOUS RETAIL PRODUCTS: Miscellaneous Retail Products Contractor enters into contracts to install miscellaneous retail products sold by the licensee; provided that the installation work shall be subcontracted to and physically performed by appropriately licensed contractors. The licensee shall operate as a retailer at a fixed location; file a \$50,000 surety bond with the board; provide in-house financing; inform consumers that they do not physically perform the installation work and state that in all advertising; and be primarily responsible and liable for the actions of the other contractors performing the installation work. All Licensees' Contractors must be licensed with the proper classifications.

C-67 LEAD/LEAD BASE PAINT- ABATEMENT/REMOVAL: Lead/Lead Base Paint-Abatement/Removal Contractor test for possible lead/lead base paint

contamination. More than one test may be required to ensure accuracy. Once the extent of contamination has been established, the contractor should determine the best method of abatement and all abatement alternatives should be considered. This contractor must follow any/all local and or federal government laws regarding Lead/Lead Base Paint- Abatement/Removal.

C-68 CLASSIFIED SPECIALIST: A specialty contractor whose operations as such is in the performance of construction work requiring special skills and whose contracting business involves the use of specialized building trades in crafts not listed above and below.

A classified specialist under C-68 may be established by the Executive Director until the work performed is defined and the proper classification is established by the Board.

C-69 ORDNANCE LOGISTICS SERVICES: Ordnance is defined as military material such as combat weapons of all kinds with ammunitions and equipment required for their use. Ordnance includes all the things that make up a ship's or aircraft's armament – guns, ammunition and all equipment needed to control, operate and support the weapons. An ordnance logistics services contractor performs condition inspections, certifications, storage, inventory, segregation, packaging, surface transportation and loading/offloading to/from vessels/aircraft of ordnance material or other associated material. Handling operations of these materials include the use of various industrial type of equipment to include, but not limited to mobile cranes, tractors, trailers fork trucks, top loaders, etc. All personnel directly involved in these operations must be qualified and certified through an explosive safety program and must adhere to all federal and local requirements and regulations.

C-70 WIND ELECTRIC/ENERGY SYSTEMS: Wind Electric/Energy Systems Contractor assembles, installs, services, maintains and repairs wind powered systems. Electrical work must be done by specialty contractors in the Classification C-13 Electrical Contractor. All Wind Energy System Tower foundations, footings and base must be stamped by an Engineer from the manufacturer or a Licensed Engineer. A Building Permit with Department of Public Works must be obtained. All Wind Energy System Towers must be in compliance with any/all FAA height Regulation. This Contractor must follow any/all federal and local laws regarding Wind Powered Systems.

PART VII

SCOPE OF CLASSIFICATION

7.1 GENERAL ENGINEERING, GENERAL BUILDING AND SPECIALTY CONTRACTORS.

- A.** A General Engineering Contractor is a contractor whose principal contracting business is in connection with fixed works requiring specialized engineering knowledge and skill including the following divisions and subjects: irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, docks and wharves, shipyards and ports, dams and hydro-electric projects; levees, tunnels, airports and airways, sewers and sewage disposal plants and systems, waste reduction plants, bridges, overpasses, underpasses and other similar works; pipelines and other systems for transmission of petroleum and other liquid or gaseous substances; parks, playgrounds and other recreational works; refineries; chemical plants and similar industrial plants requiring specialized engineering knowledge and skill; houses, power plants and other utility plants and installations; mines, metallurgical plants, land leveling and surfacing work; and cement and concrete works in conjunction with the above mentioned fixed works.
- B.** A General Building Contractor is a contractor whose principal contracting business is in connection with any structure built, being built or to be built for the support, shelter and enclosure of persons, animals, chattels or movable property of any kind requiring in its construction the use of unrelated building trades or crafts or to do or superintend the whole or any part thereof.
- C.** A Specialty Contractor is a contractor whose operations as such are the performance of construction work requiring special skills and whose principal contracting business involves the use of specialized building trades or crafts or licensing to meet safety standards. Please note that plumbers; painters; carpenters; masonry; and ornamental decorations are examples of specialty contractors licensed with the Contractors License Board.
- D.** Any person who qualifies by written examination after the effective date of these rules for a contractors license in the general engineering contractor classification shall automatically be deemed to hold or be qualified for a license in the specialties listed under PART VI, Section 6.1, list A.

In addition, the general engineering contractor may install poles in all new poles lines and replace poles where circuits of 600 volts or less are involved; provided that framing, installation of the ground wires, insulators and conductors are performed by an electrical contractor holding C-13 classification.

- E.** Any person who qualifies by written examinations after the effective date of these rules for contractor's license in the general building contractor classification shall automatically be deemed to hold or be listed under PART VI, Section 6.1, list B.

7.2 LIMITATION OF CLASSIFICATIONS: All license classifications are subject to the following limitation:

- A.** A licensee classified as a general engineering contractor or as a general building contractor shall not act, assumed to act or advertise as a specialty contractor except in specialties for which he is licensed.
- B.** A general building contractor license entitles the holder to undertake a contract with one or more unrelated building trades or crafts.
- C.** A licensee classified as a specialty contractor shall not act, assume to act or advertise as a contractor in any classification(s) other than those in which he is licensed.
- D.** General building contractors and specialty contractors holding proper licenses need not have C-30, Limited Home Improvement and Renovation contractors license to engage in home improvement and renovation contracting in their own field.

7.3 WORK INCIDENTAL AND SUPPLEMENTAL. Nothing contained in this article shall prohibit the performance of a contract in the classification in which any contractor is licensed by the Board.

7.4 ADDITIONAL CLASSIFICATION. A Licensee may obtain additional classifications by filing an application and meeting the requirements regarding experience in the classification requested.

PART VIII

EXAMINATIONS

8.1 EXAMINATION ON LAW AND RELATED SUBJECTS. All applicants for an original contractors license shall be required to take and successfully pass a examination designed to test the applicant's experience and general knowledge of the building, safety, health, labor and lien laws of the territory of the rudimentary administrative principles of the contracting business. This shall be called Examination, Part I.

8.2 EXAMINATION SUBJECT MATTER. A separate written examination/s shall be given or provided for each classification by the board or by the testing company in order to test the applicant's specialized knowledge in the field in which he desires to be licensed. The Board may in lieu of not having an examination for a particular classification/s; approve of written documents from the applicant that certifies ability and experience to perform work in such classification/s being requested. The Written Examination for the subject matter will be called Part II.

8.3 KINDS OF EXAMINATION. There shall be two (2) principal kinds of examinations: a "specific" examination which is the examination approved and prescribed for a particular

classification and a “blanket” examination which is an examination approved and required for several or a group of classifications. Refer to 8.2 Examination Subject Matter for Classification/s without an examination.

8.4 NEW EXAMINATIONS. The Board may from time to time as need arises cause new examinations to be prepared for several classifications for contractors.

8.5 FAILURE TO PASS EXAMINATION. An examinee who fails to attain a passing grade or an examination for an original license may be given a re-examination within ninety (90) days without the necessity of reapplications or additional fee.

An applicant failing two (2) full testing cycles (original examination and re-examination) will be administered another examination in the same classification for a period of one (1) year immediately following the last re-examination administered.

At any time that re-examination is requested after two (2) failed tries by the examinee; a letter must be addressed to the Executive Director for approval.

Applicants must then again file an original application which must meet all requirements of PART III of this Rules and Regulations and again be approved by the Board.

8.6 TIME AND PLACE OF EXAMINATION. The Board shall set the time and place for the examination. The Board is authorized to select the examinations in the classification applied for from a list of examinations approved by the Board; fix the time to be allotted to examinees; and determine the manner and conditions under which the examination shall be given which shall be uniform for all applicants for a particular classification.

8.7 CREDITS OBTAINED. All examination shall be in two (2) parts and shall be graded as follows:

PART I	50 CREDITS
PART II	50 CREDITS (Board Administered Testing)

A grade of seventy percent (70%) shall be the minimum passing grade for any examination. No examinee shall be deemed to have attained a passing grade unless he shall have attained a grade of not less than thirty-five (35) credits in Part I and thirty-five (35) credits in Part II. When an examinee shall have failed to attain a passing grade for either Part I or Part II of any examination, such examinee shall be required to submit to re-examination in that part where he failed.

8.8 WRITTEN EXAMINATION NOT REQUIRED. No written examination shall be required of any applicant who shall have previously qualified by written examination within a period of four (4) years prior to his application; provided he applies for a license in the same classification for which the previous examination was given. The Board may waive the requirement for a written examination at its discretion for any applicant who has previously qualified by written examination.

- 8.9 TIME ELEMENT FOR EXAMINATION.** Upon arrival of his application, an applicant who is subject to examination must take such examination when notified or again file an original application for contractors license.

PART IX

RENEWAL OF LICENSE

- 9.1 DATE FOR FILING.** The office of the Contractors License Board will process all renewal applications prescribe by the Board beginning of April 20 of each year. Renewal applicants must obtain clearances from the following agencies: Department of Land Management; Department of Revenue and Taxation; Department of Labor and Department of Public Works.
- 9.2 FAILURE TO SUBMIT RENEWAL APPLICATION.** A renewal application must be made upon forms prescribed by the Board. Failure to apply for renewal on or before June 30th of each year shall automatically void a license and would require a licensee to submit an original application satisfying Part III of the Rules and Regulations. If one year has lapsed from the expiration date of a license, Renewal Applicants must then again file an original application which must meet all requirements of PART III of this Rules and Regulations and again be approved by the Board. They shall retake the exam for failure to renew its license. All associated fees shall be paid to include back fees plus an amount equal to ten percent (10%).
- 9.3 PROPER FILING AUTHORIZES CONTRACTOR TO OPERATE.** The proper filing of a renewal application authorizes a contractor to continue operation until the actual issuance of the renewal license for the ensuing fiscal year; provided, the license of said applicant is not otherwise under suspension by reason of the decision of the Board in a disciplinary proceeding.
- 9.4 SUSPENSION AND CITATION.** No license which is under suspension or has been issued a citation by order of the Board or by operation of law shall be renewed by the Executive Director until the suspension has been lifted or Citation has been addressed; and in such a case the filing of a renewal application form does not authorize operation as a contractor until the actual issuance of the renewal license.
- 9.5 BOARD MAY REFUSE TO RENEW.** The Board may refuse the issuance of a renewal license for failure or refusal on the part of the licensee to file the renewal application form prescribed by the Board or to comply with the rules and regulations as set forth by the Board.
- 9.6 BOND REQUIREMENT.** The Board may require as an added requirement for an original application, reinstatement, and proof of financial integrity such as a bond in an amount and under terms to be determined by the Board. The Board may also use a bond in lieu of an applicant's inability to provide a credit report outlined in 3.5 Exhibits Required item (c).

- 9.7 WAIVING A BOND.** The Board may waive the requirement of a bond where the applicant or licensee has made a full restitution to all parties injured, if any, as a result of the act for which his license was suspended or revoked.
- 9.8 PREVIOUS LICENSES.** A licensee originally endorsed prior to July 1, 1977 who meets all the requirements for the filing of his renewal application and who is otherwise entitled to the issuance of a renewal license shall not be required to take or pass an examination as a condition to the issuance of such renewal license.
- 9.9 RENEWAL APPLICATION MAILED.** Between the twentieth (20th) and the thirtieth (30th) day of April each year, the Executive Director shall mail or email every licensee (except those under suspension) at his address of record with the Board, a renewal application notice which shall contain instructions to the licensee for the completion of the application and the conditions and requirements of a valid renewal. A renewal applicant shall be required to answer all questions in the renewal form as provided in Section 9.5 of this Part. The Board is not responsible for ensuring that the licensee applications are received by the applicants.
- 9.10 RENEWAL APPLICATION DATE.** To date upon which renewal application shall be deemed to be filed with the Board shall be the date of the postmark appearing upon the envelope containing the application, if sent by mail or by the item stamp marked thereon immediately upon receipt, if personally delivered.
- 9.11 CONDITIONS FOR RENEWAL LICENSE.**
- A. A renewal of license will not be made until the applicant establishes that he continues to have financial integrity which may be demonstrated by the absence of unpaid wage claims, mechanic's liens, materialman's claims, unpaid tax assessments related to the activity for which the renewal is sought or lacks the required clearances by the board.
 - B. The applicant must show proof of financial solvency (bank letter of credit attesting to solvency, financial statement from a bank or Certified Public Accountant (CPA)).
 - C. If at the time of renewal after examination of such materials as well as other information brought to its attention the Board has reasonable cause to believe that an applicant has not maintained satisfactory financial integrity, the Board shall, by registered mail, notify the applicant stating that the allegations upon which such a finding may be made and setting a place for Board's decision, an applicant may continue to do business on his existing license subject to such action as may be taken by the Board to suspend the applicant's privilege of operation.

PART X

REVOCATION, SUSPENSION AND LAPSE OF LICENSES

10.1 CAUSES FOR REVOCATION OR SUSPENSION.

- A. The Board may revoke any license issued hereunder, or suspend the right of licensee to use such licenses, or refuse to renew any such license for any of the following causes:
1. Conviction of any felony or misdemeanor involving moral turpitude;
 2. Any dishonest or fraudulent or deceitful act as a contractor which causes substantial damage to another;
 3. Pursuing a continued and flagrant course of misrepresentation or of making false promises through advertising or otherwise;
 4. Abandonment of any construction project or operation without reasonable or legal excuse;
 5. Willful departure from or willful disregard of plans or specifications in any material respect without consent of the owner or his duly authorized representative, which is prejudicial to a person entitled to have the construction project or operation completed in accordance with such plans and specifications;
 6. Willful violation of any law of the territory or of any political subdivision thereof, relating to building, including any violation of any applicable rule or regulation of the Department of Public Health, or of any applicable safety or labor law;
 7. Failure to make and keep records showing all contracts, documents, records, receipts and disbursements by a licensee of all his transaction as a contract for a period of not less than three (3) years after completion of any construction project or operation to which the records refer or permit inspections of such records by the Board;
 8. When the licensee being a co-partnership or a joint venture permits any member of such co-partnership or joint venture who does not hold a license to actively participate in the contracting business thereof;
 9. When the licensee being a corporation permits any officer or employee of such corporation who does not hold a license to have the direct management of the contracting business thereof;
 10. Misrepresentation of a material fact by an applicant in obtaining a license;

11. Failure of a licensee to complete in a material respect any construction project or operation for the agreed price if a such failure is without legal excuse;
 12. Willful failure in any material respect to comply with this Chapter or the rules and regulations promulgated pursuant thereto;
 13. Willful failure or refusal to prosecute a project or operation to completion with reasonable diligence;
 14. Willful failure to pay when due a debt incurred for services of materials rendered or purchases in connection with his operations as a contractor when he has the ability to pay or when he has received sufficient funds therefore as payment for the particular operation for which the services or materials were rendered or purchased;
 15. The false denial of any debt due or the validity of the claim therefore with intent to secure for license, his employer or other person, any discount of such debt or with intent to hinder, delay or defraud the person to whom such debt is due;
 16. Failure to secure or maintain workmen's compensation insurance;
 17. Knowingly entering into a contract with an unlicensed contractor involving work or activity for the performance of which licensing is required under this Chapter;
 18. When the Responsible Management Employee and/or the majority stockholders have, under another corporate or company structure, caused the non-payment of employees wages and/or the abandonment of alien workers to become a burden on the Government; or
 19. Upon certification of failure of payment of taxes by the Department of Revenue and Taxation.
 20. Knowingly taps into any power, water, sewer line, or facility belonging to Guam Power Authority and/or the Guam Waterworks Authority without first obtaining permission through the established service rules and regulations of each respective governmental agency.
- B. No license shall be suspended for longer than two (2) years and no person whose license is revoked shall be eligible for a new license until the expiration of two (2) years. At such time, an original application shall be submitted to the requirements of PART III of this Rules and Regulations.

10.2 HEARINGS AND APPEALS.

- A. In every case where it is proposed to take disciplinary action, refuse to grant a license or to revoke or suspend a license or to refuse to renew a license, the

Board shall give the person concerned notice and hearing conformity with the Administrative Adjudication Law. The notice shall be given in writing by certified mail or hand delivery with return receipt requested at least fifteen (15) days before the hearing.

- B. In all proceeding before it, the Board and each member thereof shall have the same powers respecting administering oaths, compelling attendance of witnesses and the production of documentary evidence and examining witnesses are possessed by circuit judges at chambers. In case of disobedience by any person of any order of the Board or any member thereof or any subpoena issued by it or him or the refusal of any witness to testify to any matter regarding which he may be questioned lawfully, any judge of the Superior Court on application by the Board thereof shall compel obedience as in the case of a subpoena issued by the Superior Court or refusal to testify therein.
- C. An applicant who has been refused a license and every licensee whose license has been suspended, revoked or not renewed may appeal the Board's decision to the Superior Court in the manner provided in the Administrative Adjudication Law.

10.3 NOTICE DUE CONTRACTORS LICENSE BOARD UPON DEATH, DISSOCIATION OR DISABILITY.

- i. A licensee whose contracting business is under the direct management of an RME shall within thirty (30) days of death, dissociation or disability of such RME to notify the Board of such death, dissociation or disability. If notice is given, the license shall remain in force for a reasonable length of time, not less than thirty (30) days from such death or dissociation to be determined by the Board.
- ii. Disability includes any situation which the direct management of licensee's contracting business is no longer under the control of RME.
- iii. Failure of the licensee to notify the Board within thirty (30) days shall result in the license being automatically suspended without a hearing. The license may be reinstated when the licensee qualifies another individual as his RME.

10.4 BOARD JURISDICTION TO PROCEED. The lapsing or suspension of a license by operation of law, by order or decision of the Board or a court of law, or by the voluntary surrender of a license by the licensee shall not deprive the Board of jurisdiction to proceed with any investigation of or action or disciplinary proceeding against such licensee or to render a decision suspending or revoking such license.

PART XI

OWNERSHIP AND MANAGEMENT OF LICENSE

- 11.1 LICENSE NON-TRANSFERABLE.** A license issued by the Board shall not be transferable. No licensee shall permit his contracting business to be under the direct management of an unlicensed RME.
- 11.2 CHANGE IN MANAGEMENT PERSONNEL.** Any change in the management personnel of the licensee as listed in the licensee's most recent application shall be reported to the Board within ten (10) days of such change.

PART XII

DISCLOSURE TO OWNERS BY HOME IMPROVEMENT AND GENERAL BUILDING CONTRACTS

- 12.1 DISCLOSURE TO OWNERS.** Contractors engaging in home improvement, home building and renovation contracting shall, prior to obtaining a binding contract from the homeowner:
- A. Disclose information pertaining to the contract and its performance which might mislead the homeowner to his detriment.
 - B. Provide homeowner with a copy of the contract form that will be used such copy to be the same on file with the Board.
 - C. Disclosure approximate percentage work to be subcontracted.
 - D. Disclosure whether bonded or not; if not, the extent of financial security available to assure performance of the contract.

PART XIII

PLACE OF BUSINESS

- 13.1 PLACE OF BUSINESS.** No license shall be issued or renewed by the Board to any person excepting RME's who does not maintain a permanent place of business within the Territory wherein he may be served with notice, legal proceedings and wherein his license is prominently displayed.
- 13.2 CHANGE OF ADDRESS.** The licensee shall notify the Board of any change of address within thirty (30) days of such change.

PART XIV

REPORTS TO BOARD BY HOME IMPROVEMENT AND RENOVATION AND GENERAL BUILDING CONTRACTORS

14.1 REPORTS TO BOARD. All contractors, including general building contractors engaged in home improvement and renovation shall maintain with the Board a current file containing the following:

A. This file shall provide a clear statement of:

1. Project Listings: Includes costs for each project
2. Date of work is to commence and number of days for completion;
3. Work to be performed and materials to be used;

PART XV

RESPONSIBILITY FOR GOOD WORKMANSHIP

15.1 RESPONSIBILITY OF GOOD WORKMANSHIP. No licensee may, by failing to prepare written specification or otherwise, relieve himself or attempt to relieve himself of the responsibility of good workmanship.

15.2 IDENTIFICATION DISPLAY. All contractors must display a sign and building permit on all building project sites identifying the licensee performing the project, title of the project, licensee's phone number, etc. (**Amended 2/29/88**).

PART XVI

CONFLICT WITH LEGISLATIVE ACT

16.1 CONFLICT WITH LEGISLATIVE ACT. Any part of this Rules and Regulations may be deleted if in conflict with Chapter VII, Title XI as enacted in Public Law 14-51.

PART XVII

ADDENDA

17.1 POWER OF THE EXECUTIVE DIRECTOR TO ISSUE PROVISIONAL LICENSE.

A. The Executive Director may issue a provisional license provided the applicant submits a written request for the license agreeing to comply with any condition establish for the licensee, including the provision that the license may be withdrawn at any time with hearing upon determination by the Board that the

holder of the license has violated thereof or is otherwise not acting in the best interest of the public in the holder's construction business.

- B. The provisional license will only be issued by the Executive Director when:
1. The applicant has not met all requirements for the issuance or renewal of a license but the Executive Director determines it to be in the best interest of the public to issue or renew the license on a provisional or conditional basis.
 2. The licensee has committed an act which may be ground for the revocation, suspension, or refusal to renew the license under Section 70116 of the Government Code of Guam, but the Executive Director, in lieu of revoking, suspending, or refusing to renew the license, determines it to be in the best interest of the public to have the licensee retain the license on a provisional or conditional basis.
 3. Under other circumstances in which the Executive Director determines it to be in the best interest of the public that a person be issued a provisional license. Other circumstances apply to self-construction projects or operations costing \$2,500 or more.
- C. The applicant must have four (4) years of experience as a foreman supervising employees or contractors in the particular field of contracting in which the applicant intends to engage as a contractor with the provisional license and the requirements of workmen's compensation insurance for the license and the requirements of the workmen's compensation for the protection of the workers. The contractor or workers must file gross receipt tax with the Department of Revenue and Taxation and the Department of Labor.
- D. The provisional license shall be subject to the same requirements as the regular license. Converting the provisional license to full license shall be in effect for not more than a year. The person issued the provisional license must possess knowledge in general engineering or general building contracting.

17.2 POWER OF THE BOARD TO ISSUE (OPTIONAL) MASTER SPECIALTY LICENSE. The Board may issue (optional) master specialty license for two (2) years at \$200 provided applicant has ten (10) years or more experience in his specialty trade, has passed the written test in his trade and the oral examination to be performed by the Board, and must not have any violation of 21 GCA Ch. 70 Contractors within the past five (5) years at the time of application.

Amendments to the Contractors License Board rules and regulations in accordance to 5 GCA Chapter 9 Administrative Adjudication Law, were adopted on _____, following a public hearing held on August 21, 2009.

These rules shall take effect ninety (90) days after filing with the Office of the Legislative Secretary.

Richard Quiambao, Chairperson
Contractors License Board

APPROVED AS TO FORM: Date: _____

ALICIA G. LIMTIACO
Attorney General of Guam

APPROVED: Date: _____

THOMAS A. MORRISON,
Executive Director, Contractors License Board

APPROVED: Date: _____

FELIX P. CAMACHO
Governor of Guam